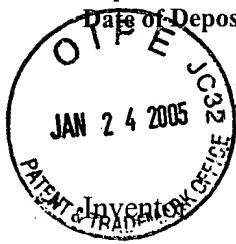


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Date of Deposit: **January 24, 2005**

Attorney Docket No. **28069-547CIP2**

(Formerly: 401865/SKYEPHARMA)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Indu PARIKH Confirmation No.: 8677
Serial No. : 09/282,471 Customer No. : 35437
Filing Date : March 31, 1999
TC/Art Unit : 1615
Examiner : Susan T. Tran
For : **FENOFIBRATE MICROPARTICLES**

Attention: Office of Petitions

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. §1.137(b)**

1. This petition is to request revival of the above-identified application under 37 CFR 1.137(b). This application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action, plus any extensions of time actually obtained.
2. A Petition Fee (Check No. 2440 in the amount of \$1500.00) for filing the Petition for a Large Entity is enclosed herewith (37 C.F.R. §1.17(m)).
3. The entire delay in filing the required reply from the due date of the required reply until the filing of the present petition was unintentional (37 C.F.R. §1.137(b)(3)).
4. A Request for Continued Examination (RCE) Transmittal under 37 C.F.R. §1.114 is enclosed herewith.
5. An Amendment pursuant to 37 C.F.R. §1.116 in response to the final Office Action dated May 5, 2004 is enclosed herewith.

01/28/2005 SSITHIB1 00000103 09282471

02 FC:1453

1500.00 DP

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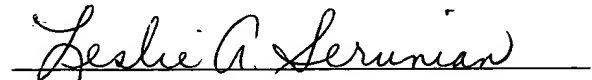
(Formerly: 401865/SKYEPHARMA)

6. A Notice of Appeal and Appeal Fee are enclosed herewith.
7. A Return Receipt Postcard is enclosed.
8. The Commissioner is hereby authorized to charge any additional fees that may be properly assessable in this application, or to credit any overpayment of same, to Deposit Account No.: **50-0311**, Ref. No. **28069-547CIP2**, Customer No. **35437**.

Respectfully submitted,

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.

Dated: January 24, 2005



Leslie A. Serunian

Reg. No. 35,353

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Customer No. **35437**